

Before the
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Freistatt Post Office
Freistatt, Missouri 65654

Docket No. A2013-8

MOTION FOR LEAVE TO FILE A SUR-SURREPLY TO THE
MOTION OF UNITED STATES POSTAL SERVICE TO DISMISS PROCEEDINGS
AND PETITIONER'S REQUEST TO EXTEND THE TIME FOR FILING
(August 22, 2013)

The Public Representative hereby moves for leave to file the accompanying sur-surreply to the Postal Service's Motion to Dismiss and Petitioner's Request to Extend the Time for Filing. The Postal Service's Surreply contains arguments that are unsupported by law or fact and thus warrant additional response.¹ In particular, the Surreply argues for a limitation on the jurisdiction of the Commission that, if adopted, would be contrary to settled law and significantly diminish both the Commission's authority and the rights of petitioners in future post office closing appeals. The Commission and future petitioners will benefit from information provided in the sur-surreply.

Respectfully submitted,

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¹ Surreply of United States Postal Service to the Public Representative's Response and Petitioner Schoen's Reply, August 20, 2013 (Surreply). In typical motion practice, the response to an opposition would be characterized as a "reply," and the response to that reply would be styled as a "surreply." Unfortunately, this practice was not followed here. Accordingly, the Public Representative labels the accompanying pleading a "sur-surreply."